

**APRIL 19, 2016 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 2**

ITEM 012

To consider granting a Special Exception for a reduction of lot size as recommended by the Board of Zoning Appeals from their March 9, 2016 Variance Hearing regarding Variance Application V-35 QUICK RESPONSE FORCE.

BACKGROUND

In accordance with a Zoning Ordinance Amendment adopted by the Board of Commissioners on July 28, 2015, Section 134-94(a)(5), the Board of Commissioners shall consider granting a Special Exception for reduction of lot size, after approval by the Board of Zoning Appeals. The Variance Analysis is attached for review. The Board of Zoning Appeals considered this appeal at the March 9, 2016 Variance Hearing and recommended approval of the Special Exception.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners consider granting a Special Exception for reduction of lot size as recommended by the Board of Zoning Appeals for Variance case V-35 QUICK RESPONSE FORCE.

ATTACHMENTS

Variance analysis and minutes.

APPLICANT: Quick Response Force

PETITION No.: V-35

PHONE: 678-269-4773

DATE OF HEARING: 03-09-16

REPRESENTATIVE: Joshua Brown

PRESENT ZONING: R-20

PHONE: 770-880-9412

LAND LOT(S): 477

TITLEHOLDER: The Holy Sabbath Ministries International, Inc.

DISTRICT: 17

PROPERTY LOCATION: On the south side of Cooper Lake Road, west of King Springs Road (1130 Cooper Lake Road).

SIZE OF TRACT: 0.55 acre

COMMISSION DISTRICT: 2

TYPE OF VARIANCE: 1) Waive the minimum lot size for a church use from the required five acres to 0.55 acre; 2) waive the setbacks for a church use from the required 50 feet to 30 feet from the front, to 42 feet adjacent to the north property line, and to 22 feet from the rear; 3) waive the 35 foot landscape screening buffer adjacent to a residential property line to zero feet on the north, east, and south property lines; and 4) allow parking in the front yard of an R district for a use other than single-family residential.

OPPOSITION: No. OPPOSED _____ PETITION No. _____ SPOKESMAN _____

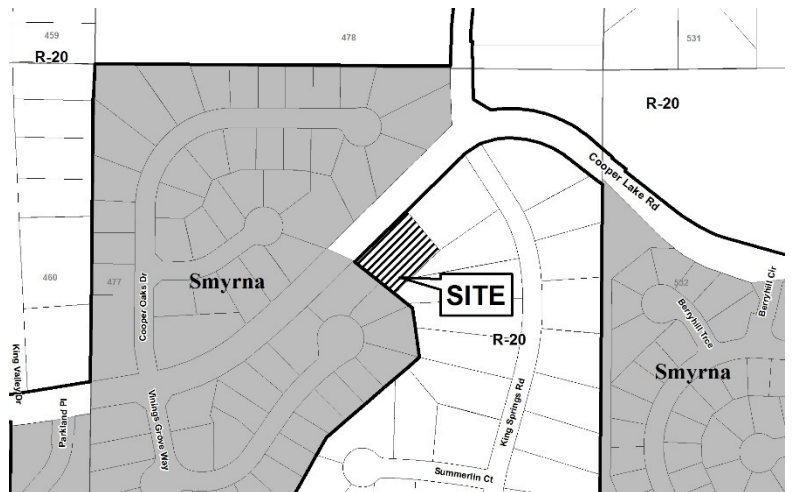
BOARD OF APPEALS DECISION

APPROVED _____ MOTION BY _____

REJECTED _____ SECONDED _____

HELD _____ CARRIED _____

STIPULATIONS: _____



APPLICANT: Quick Response Force

PETITION No.: V-35

COMMENTS

TRAFFIC: Recommend no parking on the right-of-way. Recommend monument signs be placed off the right-of-way.

DEVELOPMENT & INSPECTIONS: No comment.

SITE PLAN REVIEW: No comment.

STORMWATER MANAGEMENT: No adverse stormwater management impacts are anticipated.

HISTORIC PRESERVATION: After examining Civil War trench maps, Cobb County historic property surveys, county maps, and various other resources, staff has no comments regarding the impact or treatment of historic and/or archaeological resources

DESIGN GUIDELINES: Staff has determined that the subject sites are not within the boundaries of approved design guidelines study areas; therefore do not have to comply with design guidelines requirements. No comments.

CEMETERY PRESERVATION: No comment.

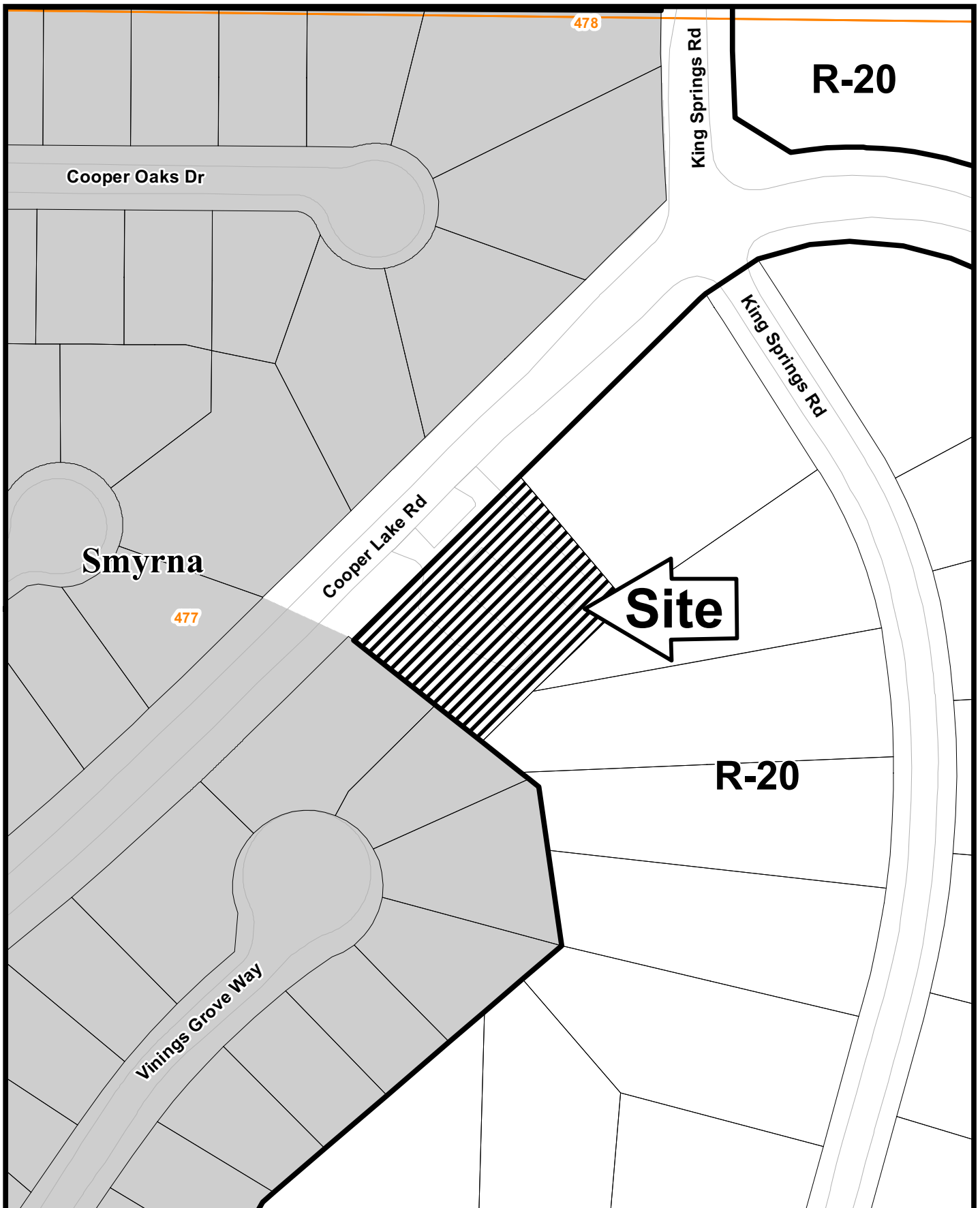
WATER: No conflict.

SEWER: CCWS records show site not connected to sewer. Environmental Health Dept. approval required for continued use of existing septic system.

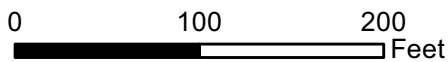
APPLICANT: Quick Response Force **PETITION No.:** V-35



FIRE DEPARTMENT: After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

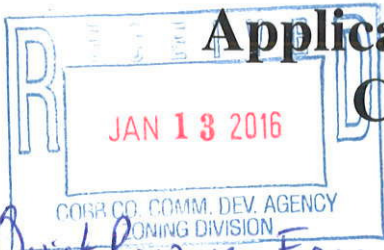
V-35



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary



Application for Variance Cobb County

(type or print clearly)

Application No. V-35
Hearing Date: 3-9-16

Applicant Quick Response Force Phone # 678-269-4773 E-mail Josh@AskQRF.com

Joshua Brown Address 3049 Marietta Hwy STE 100 Canton, GA 30114
(representative's name, printed) (street, city, state and zip code)

[Signature] Phone # 770-880-9412 E-mail Josh@AskQRF.com
(representative's signature)

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: 11/31/2017

Titleholder THE HOLY SABBATH MINISTRIES INTL. HUMPHREY MBEADUSTA Phone # 770-439-9198 E-mail hmbad54@gmail.com

Signature [Signature] Address: 1130 COOPER LAKE RD, SMYRNA GA 30082
(attach additional signatures, if needed) (street, city, state and zip code)

Signed, sealed and delivered in presence of:

[Signature]
Notary Public

My commission expires: 11/31/2017

Present Zoning of Property R20

Location 1130 Cooper Lake Rd. Smyrna, GA. 30082
(street address, if applicable; nearest intersection, etc.)

Land Lot(s) 477 District 17th Size of Tract 0.55 Acre(s)

Please select the extraordinary and exceptional condition(s) to the piece of property in question. The condition(s) must be peculiar to the piece of property involved.

Size of Property 23,958 sqft Shape of Property _____ Topography of Property _____ Other _____

Does the property or this request need a second electrical meter? YES _____ NO X

The Cobb County Zoning Ordinance Section 134-94 states that the Cobb County Board of Zoning Appeals must determine that applying the terms of the Zoning Ordinance without the variance would create an unnecessary hardship. Please state what hardship would be created by following the normal terms of the ordinance (If applying for Backyard Chickens pursuant to Sec.134-94(4), then leave this part blank).

We are requesting a VARIANCE to waive the County ordinance to rebuild the church building on the existing foundation. The church was destroyed by a fire that is suspected to be Arson.

List type of variance requested: 1) Minimum Lot size, 2) Structure located a minimum of 50 feet from any property line, 3)

**MINUTES OF VARIANCE HEARING
COBB COUNTY BOARD OF ZONING APPEALS
MARCH 9, 2016
PAGE 4**

CONSENT AGENDA (CONT.)

V-34 **MARK THIBEAUX** (Mark Anthony Thibeaux and Kathleen M. Thibeaux, owners) requesting a variance to: 1) waive the rear setback for an accessory structure under 650 square feet (rear shed #1) from the required 35 feet from the rear to 10 feet and from the required 10 feet adjacent to the western side to zero feet; 2) waive the setback for an accessory structure under 650 square feet (500 square foot awning #1) from the required 35 feet from the front to 23 feet; 3) waive the setback for an accessory structure under 650 square feet (400 square foot awning #2) from the required 10 feet to three feet adjacent to the east property line; and 4) allow an accessory structure (both awnings) to be located in front of the principal structure in Land Lot 1289 of the 19th District. Located on the north side of First Street east of June Drive (1876 First Street).

To **approve** variance request subject to:

- 1. Site plan received by the Zoning Division on January 7, 2016 (attached and made a part of these minutes)**
- 2. Development and Inspections comments and recommendations**

V-35 **QUICK RESPONSE FORCE** (The Holy Sabbath Ministries International, Inc., owner) requesting a variance to: 1) waive the minimum lot size for a church use from the required five acres to 0.55 acre; 2) waive the setbacks for a church use from the required 50 feet to 30 feet from the front, to 42 feet adjacent to the north property line, and to 22 feet from the rear; 3) waive the 35 foot landscape screening buffer adjacent to a residential property line to zero feet on the north, east, and south property lines; and 4) allow parking in the front yard of an R district for a use other than single-family residential in Land Lot 477 of the 17th District. Located on the south side of Cooper Lake Road, west of King Springs Road (1130 Cooper Lake Road).

To **approve** variance request subject to:

- 1. Site plan received by the Zoning Division on January 13, 2016 (attached and made a part of these minutes)**
- 2. Sewer Division comments and recommendations**